

U.S. District Court

Middle District of Pennsylvania

16

COPY

FILED
SCRANTON

Michael Stevens, pro se

Reg. No. 06984-055

Plaintiff,

MAR 30 2001

00-cv-1316

FEB. 11, 2001

DEPUTY CLERK

Civil No. ?

Warden Page True

U.S.P. Lewisburg, PA

Defendant.

Motion To Withdraw Civil Suit Without
Financial Penalty Or Liability

Now comes Michael Stevens, Plaintiff in the above Civil Action, asking this Honorable Court to withdraw Plaintiff's civil action against Warden Page True, Past Warden of U.S.P. Lewisburg, PA, without Financial Penalty or Liability, for the following reasons:

- ① Plaintiff has been confined in a very small, decrepit, squalid, roach infested, rat infested cell 23 to 24 hours per day since December 12, 2000 with no law library or legal resources.
- ② During this aforementioned time, Plaintiff has literally been placed in a state of almost total incommunicado (without means of communication). Plaintiff not having access or not being able to acquire needed address, phone number or the use of a phone the majority of the time.
- ③ During Plaintiff's nearly four months of solitary confinement, with no end in sight, Plaintiff has had only two 10 minute contacts with the outside world.
- ④ All of Plaintiff's legal material regarding the above civil action have either been lost or stolen via Plaintiff's move from CCA to USP Leavenworth.

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⑤ Upon numerous requests, Plaintiff has not been able to even secure the Civil No. for his Civil Action. Plaintiff's unit team have ignored Plaintiff's diligent efforts to secure the aforementioned Civil Number (see exhibit one - copy of BP-8 filed 2/18/2001)

⑥ Plaintiff inmate request forms have been waylaid or destroyed by U.S.P. Leavenworth Staff members. Plaintiff's legal mail has been open out of Plaintiff's presence (see Exhibit Two - BP8- Filed 3/16/01).

In essence the staff at U.S.P. Leavenworth has seriously impeded Plaintiff's attempts to properly communicate with this Honorable Court.

⑦ Plaintiff's situation will more than likely not change in the foreseeable future.

Under the present set of Austerate and severe circumstance which have been imposed on Plaintiff by Bureau of Prison Staff members at U.S.P. Leavenworth, Plaintiff Proys this Honorable Court in the interest of Justice will dismiss ^{191st FIFF} Plaintiff's civil Action without Financial penalty or liability to Plaintiff, who is also indigent.

3/24/2001

Date

Respectfully Submitted

Michael Stevens

Michael Stevens, pro se

Reg. No. 06284-055

U.S.P. Leavenworth

P.O. Box 1000 DCH-119

Leavenworth, KS 66048

COPY OF:
BP-8 0409 Submitted 2/18/01

Exhibit
ONE

Michael Stevens
06284-055
DCH-119

Since my arrival December 12, 2000 my case Manager Mr. T. P. BRZUSTOWICZ has virtually ignored me. Since I informed him he erred on my progress report, when he indicated I did not program. I was in the CODE program, as well as completing parenting class. He had promised to send me an updated copy of the progress report. Although I submitted several requests, the updated progress report failed to materialize.

He also promised to send an updated (corrected) copy of my inmate classification report, which indicated I had 9 points. upon several requests that never materialized. In addition he told me he would contact the prosecutor in the case I provided assistance, to try and get my security level lowered, that never materialized either.

He promised to obtain prosecutor Kim Bergers and my minister's addresses so I could contact them by mail, to aid my cause, that never materialized.

Finally, regarding a civil action I have in Pennsylvania, he was suppose to obtain a civil No. so I could communicate to the court, concerning my Forma Pauperis Status. Nothing materialized on that end either.

Michael Stevens

COPY OF

BP-8 C-0407
filed 2/16/01

(Exhibit)

Michael Stevens
06284-055
DCH-119

Two

On wednesday evening 2/14/01 Tim Majurus a representative from I.T.S. stopped by my cell with a handful of cop-outs (inmate request forms) dated 12/18/2000. He informed me he had just received them from a C.O. He explained this was out of the ordinary that he should have received them the next day.

Apparently staff members are destroying or waylaying my cop-outs and mail. Almost all of my cop-outs go unanswered. I have been placed in a state of almost total incommunicado since my arrival at U.S.P. Leavenworth on December 12, 2000.

Michael Stevens